

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, MARCH 24, 2005
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Melissa Koci, County Clerk's Office

Commissioner Hudkins opened the meeting at 8:33 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, MARCH 15, 2005

MOTION: Stevens moved and Schorr seconded approval of the staff meeting minutes of Tuesday, March 15, 2005 with the following correction to Item 6 on Page 4: The motion should read Workman, Stevens, Schorr and Hudkins voted aye. Workman, Stevens, Schorr and Hudkins voted aye. Heier abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

There were no additions to the agenda.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, appeared and presented a legislative update (Exhibit A). He said currently the Appropriations Committee plans to include full payment for the Low Level Nuclear Waste Site settlement in this year's budget package.

Kissel also noted LB 9 was passed, which authorizes administrative approval of final plats by either the planning commission or planning director. He also briefly discussed LB 217 which allows local governmental units that cooperate with other governmental units to issue bonds to finance joint projects which may be serviced by property taxes, regardless of the restrictions on the issuance of debt contained in other statutory provisions.

Kerry Eagan, Chief Administrative Officer, indicated Lancaster County has always been in support of LB 529 which would transfer the District Court Clerk to the State.

4 CORRECTIONS INTERLOCAL AGREEMENT - Mike Thew, Chief Deputy County Attorney

Mike Thew, Chief Deputy County Attorney, appeared and distributed documentation regarding the Proposed Amendments to the Interlocal Agreement between the City and the County for housing City offenders in County Correctional Facilities (Exhibit B).

Thew indicated he spoke with Police Chief Tom Casady who said the City of Lincoln will be responsible for medical care for people who are injured during the course of apprehension. He said the City then wants the County to back off on its proposal to put book-in fees in the contract.

Thew discussed the amendment contract he drafted with the proposed changes. He said the provision at the bottom of the agreement will be for one year, with automatic yearly renewal unless either party provides the other party with written notice of its intention to renegotiate or terminate the agreement at least 90 days prior to the anniversary date of the agreement. He suggested approving the contract and spending the next 6 to 9 months documenting exactly how much it's costing the County.

Mike Thurber, Corrections Director, appeared and reported the City does not want to pay, but they are responsible for the costs of medical services according to State Statute. He said the correct cost for one day minimum is usually \$63 to \$65 a day and they are now charging 1/4 of that, which amounts to \$16.

Commissioner Stevens noted he would be willing to modify the agreement to 2 quarters and then after the first year is up, look at what the true costs are.

MOTION: Stevens moved and Heier seconded to allow the County Attorney to pursue the agreement with amendments as outlined to the County Board, with the modification in Paragraph 4 be changed to "with a minimum 2-quarter 1/2 day charge for all offenders". Stevens voted aye. Schorr, Workman, Heier and Hudkins voted no. Motion failed.

MOTION: Workman moved and Heier seconded to accept the County Attorney's proposal and write a letter to the Mayor explaining the County's position on book-in fees and indicating the Board's desire to include them in the future. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

5 CIRCLE DRIVE-WAYS - Larry Worrell, County Engineer; Jerry Young

Larry Worrell, County Surveyor, appeared and distributed documentation regarding the number of subdivisions in Lancaster County and how long they have been in existence and Resolution No. 3708 (Exhibits C & D). He indicated Resolution No. 3708 allows one access for tracts of land 20 acres or less unless permission is obtained from the County Engineer. Worrell said there are over 200 permits a year and each owner pays the costs to put in the culverts, but the Engineer pays for the maintenance.

Worrell also distributed documentation regarding Burr Oaks Addition and Stevens Creek Ridge First Addition, where the applicant is building (Exhibits E & F). He said if a person wants a circle drive and the County decides to widen the road, the County is the one who ends up paying the costs.

Commissioner Heier said maybe the homeowner could be responsible in the future for the costs and maintenance if a circle driveway was in place and the County decided to widen a road.

Jerry Young, property owner, appeared and distributed outlines of the house he is building, which includes a circle drive that he would like to have (Exhibit G). He said because the resolution is written the way it is, he would not be allowed to put in a circle drive, which is what he wants. Young believes the resolution should be amended to allow property owners with 1-acre lots or in subdivisions to have circle drive-ways.

Heier reported he would like Worrell to speak with the County Attorney about whether or not the resolution can be changed to allow the landowner to maintain driveway culverts located in the County's right-of-way.

Worrell indicated he would submit an opinion request to the County Attorney.

Commissioner Hudkins also agreed with having horseshoe driveways.

6 MENTAL HEALTH DIVERSION GRANT UPDATE AND EVALUATION - Travis Parker, Homeless, Special Needs and Jail Diversion Manager; Dean Settle, Community Mental Health Center Director; James Addy, State Public Policy Group; Mike Thurber, Corrections Director

Dean Settle, Community Mental Health Center Director, appeared and distributed documentation regarding the Mental Health Jail Diversion Project (Exhibit H).

Travis Parker, Special Needs and Jail Diversion Manager, appeared and gave a brief overview of the Mental Health Jail Diversion Project. He stated the original screening began on November 2, 2003 and as of March 21, 2005, 3,366 persons had been identified as meeting general psychiatric or co-occurring disorder criteria which warrants an Initial Screening. Of that number, 614 individuals needed a brief Subsequent Assessment and 192 of those 614 persons met such specific psychiatric or co-occurring disorder and legal criteria that a very detailed interview and evaluation were done on those persons. Of the 192 people that received interviews, 67 were recommended to participate in the Mental Health Jail Diversion Project. Parker also indicated 45 of the first 66 have done very well, however 21 were terminated from the Project.

James Addy, State Public Policy Group, appeared and distributed documentation regarding the project and gave a brief presentation (Exhibit I).

7 SOCIAL WORKER INTERN - Dean Settle, Community Mental Health Center Director

Dean Settle distributed documentation regarding a Social Worker Intern for the Ambassador and President Apartments (Exhibit J). Settle indicated he received a letter from the Interfaith Housing Coalition asking the Mental Health Center to allow a student paid internship supervised by a social worker at the Community Mental Health Center be an intern at the Ambassador and President Apartments. The intern would receive \$15,000 for the placement and the Community Mental Health Center would receive \$4,000 to \$5,000 for the supervision.

MOTION: Workman moved and Schorr seconded approval of the intern subject to review by Sue Eckley and the County Risk Manager. Schorr, Heier, Workman and Hudkins voted aye. Stevens voted no. Motion carried.

8 LANCASTER MANOR HIPAA COMPLIANCE - Larry Van Hunnik, Lancaster Manor Administrator; Mike Thew, Deputy County Attorney; Doug Thomas, Information Services Manager

Larry Van Hunnik, Lancaster Manor Administrator, appeared and said he believes Lancaster Manor is in HIPAA Compliance.

Hudkins asked about the pass code being changed regularly.

Van Hunnik said he is currently changing it on a regular basis.

Schorr asked Van Hunnik why he did not want to move their mainframe to Information Services.

Van Hunnik questioned why it should be changed when the system is running perfect now without any problems and it will cost the County more money.

Doug Thomas, Information Services Manager, appeared and said Information Services has firewall protection, a locked facility, a generation system for long-term outages and several other good features that would work with Lancaster Manor's system.

Gwen Thorpe, Chief Deputy Administrative Officer, referred to pages 25 through 36 in the County Commissioner's packet regarding Lancaster Manor and what it would take for them to become HIPAA Compliant. She said some of the concerns were security, the firewall, location of AS/400 and several other issues. Thorpe said Information Services gave a cost estimate of around \$14,500 a year for network and PC support and it would cost around \$18,000 to get the computers up to speed along with the software.

Commissioner Schorr asked about the substitution of automated processes for paper processes and directing the savings toward resident care.

Thorpe said Lancaster Manor could go paperless if they chose to and with the number of man hours putting papers in a book compared to the number of hours doing data entry, those extra hours could be used for resident care.

Mike Thew, Chief Deputy County Attorney, appeared and indicated Lancaster Manor may now meet the minimum standards for HIPAA Compliance. However, Information Services handles computer security for the entire City of Lincoln and Lancaster County and has a great deal of experience and expertise in this area. Since the HIPAA consultant hired by the County specifically recommended the AS/400 be moved to Information Services, Thew indicated it would be difficult to defend the County against a lawsuit alleging a HIPAA privacy violation at the Manor.

Thomas indicated there is fiber available now, so the transition could be done in around 30 to 60 days.

MOTION: Stevens moved and Heier seconded to have Information Services provide the County Board with a transition plan for moving the AS/400 from Lancaster Manor to Information Services including cost estimates and final analysis. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

9 YOUTH SERVICES CENTER POPULATION - Dennis Banks, Youth Services Center Director

Dennis Banks, Youth Services Center Director, appeared and distributed a Report of Calendar Year Statistics from 1990-2004 (Exhibit J). Banks stated the adult admissions have doubled from last year because there are more serious kids coming into the Center with more serious offenses and they are staying longer. He said there have been 12 more kids a day this year which has impacted the population, culture and it is increasing his budget. Banks also indicated the sick leave at the Youth Services Center has always been lower than all the other county agencies until they moved into their new building in 2003.

Heier asked Banks to provide him a monthly chart on population.

10 (A) SKATE NIGHT AND (B) F³ CONTRACT AND LEASE AGREEMENT WITH CEDARS YOUTH SERVICES - Renee Dozier, F³ Director; Kristy Mundt, Deputy County Attorney

Renee Dozier, F³ Director, appeared and reported they would like to hold a skate night and invite 500 kids. She also said they would like to rent a night at the zoo, which would be open to 1000 children and families who have been in F³'s care.

Kristy Mundt, Deputy County Attorney, appeared and indicated she has drafted 2 agreements to go on Tuesday's agenda. She also recommended that a waiver form be signed on the skate night, because of risk of injury, by a parent who is allowing the child to go skating.

MOTION: Workman moved and Heier seconded approval of both agreements. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

Dozier distributed documentation regarding a letter from Cedars Youth Services terminating their contract with the County as of June 30, 2005 (Exhibit K). She indicated Lancaster County can establish a contract with Lutheran Family Services to employ one Supervisor and two Care Coordinators for the term April/May 1 through June 30, 2005. Dozier also said Lancaster County can ask to mutually terminate the current contract with Cedars for all five full-time employees and establish a contract with Lutheran Family Services for all positions for the term April/May 1 through June 30, 2005.

MOTION: Workman moved and Schorr seconded to terminate the contract with Cedars at the most mutually agreed and convenient date along with moving all full-time employees to Lutheran Family Services. Workman, Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

11 PRINTER REPLACEMENTS FOR ASSESSOR AND TREASURER - Norm Agena, Assessor/Register of Deeds; Terry Adams, Chief Deputy Treasurer

Norm Agena, Assessor/Register of Deeds, appeared and reported his office needs 4 big printers and 25 new desktop printers to run the new software and the total cost is around \$14,000.

Terry Adams, Chief Deputy Treasurer, appeared and noted he needs an upgrade on 3 dumb terminals, which would cost roughly \$600.

MOTION: Workman moved and Stevens seconded approval of both requests and that the monies come out of each department's budget. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

12 DISCUSSION WITH AGRICULTURAL SOCIETY REGARDING LODGING TAX AND STATE FAIR PROPERTY - Ron Snover, President; and Wayne Venter, Events Center Manager, Lancaster County Agricultural Society

Ron Snover, Events Center President, appeared and distributed documentation regarding the long-term Lease Agreement between the Agricultural Society and the Nebraska State Fair Board on the Youth Complex located at the fairgrounds (Exhibit M) and the minutes of their March 17, 2005 meeting (Exhibit N). He said the Agricultural Society decided to give the property back to the County Commissioners and the amount that would be owed to the Ag. Society is \$16,000.

Wayne Venter, Events Center Manager, appeared and distributed documentation regarding an informal survey that was sent out regarding the Event Centers public schedule (Exhibit O) and said he received one response from one hotel.

Snover distributed documentation regarding the Event Center expansion (Exhibit P) and briefly discussed it.

Schorr asked how much of Phase I was still left to pay.

Snover said there is \$2.6 million left, which would be paid off privately.

Stevens noted if \$15 million was borrowed, over the course of 10 years it would cost \$150,000 a month.

Jim Fram, Visitors Promotion Committee, appeared and indicated his office is very excited about the expansion plan at the Event Center. He distributed documentation regarding the Lodging Tax Plan for distribution of added 2% lodging tax (Exhibit Q). He said the request would come through the Convention and Visitors Bureau, the formal request would be made to the Visitor Promotion Committee (VPC) and then come to the County Board for their approval. Fram recommended to the Board they adopt a review procedure going through all three entities.

Fram noted the VPC has recommended to the County Board 1% of the lodging tax be used for the Convention and Arena and it must be a public private venture. He also said 1/2% would go to entryway signage and enhance entryways to Lincoln and 1/2% would go to the Visitor Improvement Fund.

Workman likes the idea of going through the CVB, VPC and then to the Board because he would like to be informed about everything.

Stevens indicated he is concerned with how the VPC has split up the monies. Also, he does not agree with the expansion until the Joint Public Agency bonds are totally satisfied and not being paid for by the taxpayers of Lancaster County.

Fram noted the percentages will be a limited target and once some of the items get taken care of, the money can go to other places like the restricted fund or market fund.

In response to Stevens comments, Venter said yes the Event Center is in debt, but they are still profitable and without an expansion they will not draw national events that will bring a lot of tourist dollars to the community.

Hudkins said he appreciates the business-like attitude along with the changes and sacrifices that were made by the Event Center to try to make it work and turn around a profit.

Stevens reported the Events Center's financial statement indicates they lost \$331,000 during the last fiscal year. He said this fiscal year the County has contributed \$951,000 to the Ag. Society, Events Center and capital construction items.

13 ACTION ITEMS

- A. Drug Free Communities Grant Application

MOTION: Stevens moved and Workman seconded to authorize Kit Boesch to submit the grant application. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

- B. Letter of Support for State Tournaments

MOTION: Heier moved and Stevens seconded to send a letter of support regarding hosting the State Tournaments in Lincoln. Schorr, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

- C. Hard Drives for County Word Processor Server (\$476.70)

MOTION: Stevens moved and Heier seconded approval of the hard drives for the County Word Processor Server. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

15 ADMINISTRATIVE OFFICER REPORT

- A. Cornerstone Energy Proposal

Eagan indicated the Public Building Commission voted no on the Cornerstone Energy Proposal and the Board recommended to notify them that they are not interested at this time.

- B. Report on Settlement (Lancaster County vs. MacArthur)

Kristy Mundt indicated there was a final settlement of \$53,000 on the MacArthur case. She also stated they lost the case regarding Gas N' Shop regarding selling beer by the glass, however they won the case on State of Nebraska vs. Lancaster County on psychological evaluations to determine competency to stand trial.

C. Surplus Property at NW 27th and Highway 34

Eagan reported there was a person interested in buying the property at NW 27th Street and Hwy 34, which has been appraised.

MOTION: Heier moved and Workman seconded to direct Kerry Eagan to start the procedures for declaring the property surplus. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

D. Lancaster Manor Survey

Van Hunnik reported Lancaster Manor just completed their exit interview from its annual survey and this year was one of the finest they have had.

E. Schrepf Contract

Gwen Thorpe distributed documentation regarding Contract No. C-05-0158 (Exhibit Q).

Schorr said she discussed with Renee Dozier and Sheryl Schrepf how to ease the transition for Lancaster County, Region V and the providers.

Heier does not agree with the amount of money that will be given. He believes the functions can be done by the staff that is in place right now.

Hudkins said since the assets of ICCU are being transferred and there is \$20,000 savings, why not transfer the \$20,000 to Region V and let them determine if they want to hire Schrepf. He also believes the contract is very expensive.

Heier believes Dozier can handle the transition herself.

Stevens said it should be about the kids and transitioning a program from one administrative office to another and someone overseeing that transition. Stevens noted Schrepf is very knowledgeable of the whole process.

Hudkins suggested putting the item on hold for another week.

MOTION: Workman moved and Schorr seconded to proceed with the Sheryl Schrepf contract. Schorr, Workman and Stevens voted aye. Heier and Hudkins voted no. Motion carried.

17 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Downtown Lincoln Association Board Meeting - Stevens

Stevens reported they discussed the Agricultural Society and also set the purpose of the Downtown Lincoln Association.

- B. Public Building Commission - Workman, Hudkins

Workman reported the bonds were approved and they also voted not to accept to buy, acquire or sell property.

- C. Community Mental Health Center Advisory Committee - Stevens

No report was given.

18 ADJOURNMENT

MOTION: Schorr moved and Workman seconded to adjourn the meeting at 1:36 p.m. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk